

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DELANO PETTWAY,

Petitioner,

v.

CASE NO. 06-10701
HONORABLE GEORGE CARAM STEEH

BARRY DAVIS,

Respondent.

**ORDER DENYING PETITIONER'S MOTION
FOR A CERTIFICATE OF APPEALABILITY,
BUT GRANTING PETITIONER'S MOTION
TO PROCEED *IN FORMA PAUPERIS* ON APPEAL**

Petitioner Delano Pettway has appealed the Court's Opinion and Order denying his habeas corpus petition. Currently pending before the Court are Petitioner's Motion for a Certificate of Appealability [Doc. 37] and his Motion to Proceed *In Forma Pauperis* on Appeal [Doc. 36]. For reasons stated in the Court's Opinion and Order Denying the Habeas Corpus Petition, Petitioner's Motion for a Certificate of Appealability is **DENIED**. Petitioner's Motion to Proceed *In Forma Pauperis* on Appeal is **GRANTED** because he was permitted to proceed *in forma pauperis* in the District Court. Fed. R. App. P. 24(a)(3).

Dated: June 3, 2008

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
June 3, 2008, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk